

**Belmont Human Rights Commission
Belmont Town Hall
March 5, 2009**

Meeting Minutes

Members Present: Lisa Bernt, Judie Feins, Nan Donald, Fran Yuan

Members Absent: Janet Cudmore-Boswell, Rosalind Kabrhel, Connie Williams

Liaisons Present: Captain Peter Hoerr (Belmont Police Department); Kathryn Bonfiglio, Jonathan Jacoby, June Roberts, all of Belmont against Racism (BAR)

Speaker: Sunila Thomas-George, Assistant Commissioner, Massachusetts Association Against Discrimination (MCAD)

Meeting began at 7:05 pm

- Lisa Bernt chaired the meeting. Fran Yuan took notes.
- No phone calls this month; Fran has been checking. Fran proposed we have a phone log to make sure we keep consistent information on calls received. She will put together a record form. The issue of confidentiality was discussed. Capt. Hoerr said that every record kept could potentially be public, though the discussion with the complainant would be confidential and simply recorded as 'housing issue', for example.

3 Lisa will attend the Selectmen's meeting on March 16th with Connie to present our changes to the charge, reduced number of members, and ask to be reappointed to the commission. She will also ask about minimum age of HRC members, such as whether a student under 18 could serve as a member.

- Finding new members was discussed. Fran agreed to put a notice in the local newspaper. A notice to BAR members will also be sent. Fran agreed to call other members who have lapsed in their meeting attendance.
- The February 5th meeting minutes were approved unanimously as written.

Judie talked about the Fair Practices Committees presentation during BHS Diversity Week. Three students (a senior and two juniors) volunteered with help with the planned

archiving project. While Judie will get the project off the ground, she won't be able to supervise the entire project. Laura Jean, advisor to the Diversity Tolerance Club, and Alice Melnikoff might possibly have some oversight. The students would get community service credits for their work on it. Kathryn asked us to consider what the purpose of the project is and who would view these documents. This might shape how it is done. Fran felt that accessibility to it, such as by being put on the web, would be important. Judie thought we should approach Amalie Kass, one of the panelists, who is also a historian. Fran said she would ask at the public library about anyone with interest and expertise in this. The Historical Society was also mentioned. Fran will get a copy of the large panel presentation on DVD from the Media Center for the project.

- 6 Future events were discussed. The commission voted unanimously to co-sponsored the Freedom to Marry Ice Cream Social on May 17th. It also agreed to share a table at Town Day on May 16th with Belmont Against Racism or Amnesty International.

d Liasons' Reports:

Capt. Hoerr reported on possible bias incidents. One at the high school involved girls using the words 'lesbo-dyke' towards someone. The incident was handled by the school.

Another incident involved threats made by an individual towards an Asian family, most likely towards one particular member of this family, and committing assault in retaliation against this family member for this member's unspecified actions. Caller used the word 'nigger' but Capt. Hoerr felt caller was using it arbitrarily. Threats made constituted a crime and continues to be investigated. Capt. Hoerr thought this was a instance of retaliation rather than a racial bias situation.

Kathryn reported that Belmont Against Racism is trying to start dialogue meetings between Belmont and Boston families. She also reported that the Louis D. Brown Peace Institute is currently examining racial data at each step of the justice system, including who is detained.

- 7 Lisa attended the February Massachusetts Association of HRC's (MAHRC) meeting. She plans to scan her housing resource book because many of the attendees wanted copies for their communities. She said much of the information comes from various websites such as FAQs about housing discrimination. Some is Belmont-specific. Lisa would like to add information about public accommodations. Lisa mentioned that she works for the Fair Employment Project, a non-profit that helps employees find free lawyers and identify resources to help them with employment issues. Sometimes the organization also talks to small employers.

10. Asst. Commissioner Sunila Thomas-George joined the meeting to discuss the work of the MCAD. Ms. T-G gave a brief history of the MCAD and the 16 protected classes covered, including religion, genetic testing, sexual harassment and orientation, military status, age, etc. It is currently updating its data base. MCAD investigates and adjudicates cases and, if there is probable cause, prosecutes them. Mass. Is very progressive and has many more protections than the federal government. MCAD also makes case law in the areas of disability, race, and sexual discrimination.

MCAD investigated 5,000 cases in 2008 and out of these made 3,400 recommendations.

They have offices in Boston, Springfield and Worcester and will open one soon in New

Bedford. Their budget is \$4 million, 1/2 of Connecticut's and 1/3 of New York's, but has more than double the number of cases as those states. There are cases that go through the whole process, from discovery to trial. It generally takes 11-18 months to get to the recommendations phase. Some take couple of years for various reasons. MCAD also does training and research.

Nan asked if they let people know about discrimination that might be happening when people are unaware. Ms. T-G said they have posters and pamphlets, and invite tenants, landlords, and HRCs for training. They have 3 full-time people who do training. SEED, Spreading Education to End Discrimination, has 8 interns, who teach ESL and do presentations. They have talked to schools, so kids tell their parents. They work with documented and undocumented people. They have literature in 5 languages: English, Spanish, Creole, Portuguese, and Chinese.

They went to Barnstable to do a 2-day training. They are developing an on-line system for complaints.

Judie asked how we could get statistics on Belmont, such as housing complaints in Belmont or public accommodation complaints. A public records request can be made. There is a case tracking system, which it being upgraded but won't be web-based because it is too costly. It will be completed by April 1. We come up with what we want and get information through Chief of Enforcement.

MCAD also does testing, for example, for race discrimination in employment. They identified a couple of industries to target. Testing was done on resumes, interviews, and if some applicants were subject to terms and conditions that others weren't subjected to. Eric Bowe put together the test and found bias even when the test was being tested out. In one case, ten applicants were considered and there was discrimination based on foreign sounding names on resumes.

Judie asked, Do we have a problem in Belmont? We said we don't know. We have a lot of rental housing here and lead paint could be an issue.

Ms. T-G clarified a law that says if a building is owner occupied, owner is allowed not to rent to children because of lead paint but cannot state this outright. It is illegal to refuse to rent to families with children if a statement is actually made to that effect. One can give other reasons. Based on premise that owner can choose who to live with.

Training is on a sliding scale which can be waived or reduced for public groups. Ms. T-G said that pre-emptory training is better than slapping people with punishments after the fact.

June suggested that this free training be offered to school administrators and teachers in Belmont. Kathryn said that they already get EMI (diversity) training. It was proposed this could also be presented at Diversity Week since young people are sometimes discriminated against. They also become future employers and managers. Teen are vulnerable especially in economically hard times.

Ms. T-G said that 85% of their cases are employment, 10% housing, and 3% public accommodations-related. The top three kinds of discrimination are disabilities, gender, and race. She believes that age discrimination will go up from 5th place to 4th place in this economic climate.

Ms. T-G said the current priorities are testing and expanding training and outreach, but with 15% budget cut, this may change. Also, amicus brief to change laws. For example, the Mass. Maternity Leave Act for companies with more than 6 employees is currently being considered. This extends leave to men. Statute says women are afforded maternity leave, but laws should be gender-neutral, especially in light of gay marriage. This is sex discrimination, and parental leave should be enacted. Also, a transgender bill is currently being considered

200+ cases are investigated. MCAD falls under Governor's office. Becky Schuster is the training person at 617-994-6111.

The meeting was adjourned at 9:35 pm.

